



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,550	07/16/2003	Bart ter Braak	09424.0190US01	8445
23552	7590	05/26/2005	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			FERGUSON, MICHAEL P	
			ART UNIT	PAPER NUMBER
			3679	

DATE MAILED: 05/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/620,550

Applicant(s)

TER BRAAK, BART

Examiner

Michael P. Ferguson

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 22 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-16, 18 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Franklin (US 3,540,089).

As to claim 1, Franklin discloses a safety connection intended for suspending objects, the safety connection comprising a first **44** and a second **31** retaining element, wherein the first retaining element **44** after mounting, is coupled to the object **C** to be suspended, and the second retaining element **31** after mounting, is connected to an environment **B**, the first and second retaining element being detachably connected to each other such that, under the influence of a tensile force applied to the retaining elements, the retaining elements disconnect, wherein the second retaining element comprises a resilient lip **31**, the first and second retaining elements are arranged to cooperate via the resilient lip for effecting the detachable coupling of the retaining elements (Figures 1 and 2).

As to claim 2, Franklin discloses a safety connection wherein the resilient lip **31** is an integral part of the second retaining element **31** (Figure 2).

As to claim 3, Franklin discloses a safety connection wherein, after mounting, the resilient lip **31** extends, on average, in a direction including an angle with a vertical plane in the range of approximately 10- 45 degrees (Figure 2).

As to claim 4, Franklin discloses a safety connection wherein the resilient lip **31**, after mounting, extends, on average, in a direction including an angle with a vertical plane in the range of approximately 15- 30 degrees (Figure 2).

As to claim 5, Franklin discloses a safety connection wherein the resilient lip **31** is manufactured from plastic (column 3 lines 25-29).

As to claim 6, Franklin discloses a safety connection wherein a front end of the resilient lip **31** of the second retaining element **31** touches a slide-off surface of the first retaining element **44** (Figure 2).

As to claim 7, Franklin discloses a safety connection wherein the front lip end comprises a sliding surface which is substantially parallel (tangent) to part of the slide-off surface of the first retaining element **44** (Figure 2).

As to claim 8, Franklin discloses a safety connection wherein the slide-off surface of the first retaining element **44** after mounting, viewed in vertical cross section, includes an angle with a vertical plane in the range of 45- 70 degrees (Figure 2).

As to claim 9, Franklin discloses a safety connection wherein the angle is in the range of 60-70 degrees (Figure 2).

As to claim 10, Franklin discloses a safety connection wherein the first retaining element **44**, after mounting, extends partly through a substantially vertical passage of the second retaining element **31** (Figure 2).

Art Unit: 3679

As to claim 11, Franklin discloses a safety connection wherein the first retaining element **44** is provided with a widened head **44** located, after mounting, above the passage, which head touches a part, such as the front end of the resilient lip **31** of the second retaining element **31** (Figure 2).

As to claim 12, Franklin discloses a safety connection wherein the widened head **44** of the first retaining element **44** is provided with the slide-off surface (Figure 2).

As to claim 13, Franklin discloses a safety connection wherein the second retaining element **31** is provided with a number of resilient lips **31** extending obliquely towards each other for forming a constriction of the passage of the second retaining element (Figure 2).

As to claim 14, Franklin discloses a safety connection wherein the first **44** and second **31** retaining elements are each of rotation-symmetrical design relative to an axis of symmetry, which is vertical, after mounting (Figure 2).

As to claim 15, Franklin discloses a safety connection wherein the retaining element **31** connected to the environment **B** is mounted in a tube **18** having an inside diameter of less than 2 (inherently; Figure 2).

As to claim 16, Franklin discloses a safety connection wherein the tube **18** has a diameter in the range of 10- 15 mm (inherently; Figure 2).

As to claim 18, Franklin discloses a safety connection for coupling objects **C** to an environment **B**, wherein the connecting device is provided with a safety connection (Figure 1).

As to claim 19, Franklin discloses a connecting device wherein the connecting device is designed for supporting an upper side of the object **C** to be coupled to the environment **B** at a front end (Figure 1).

3. Claims 1, 2, 5-7 and 14-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Bradley (US 5,957,612).

As to claim 1, Bradley discloses a safety connection intended for suspending objects, the safety connection comprising a first **111** and a second **103,110** retaining element, wherein the first retaining element **111** after mounting, is coupled to the object **104** to be suspended, and the second retaining element **103,110** after mounting, is connected to an environment **100**, the first and second retaining element being detachably connected to each other such that, under the influence of a tensile force applied to the retaining elements, the retaining elements disconnect, wherein the second retaining element comprises a resilient lip **110**, the first and second retaining elements are arranged to cooperate via the resilient lip for effecting the detachable coupling of the retaining elements (Figures 1 and 7).

As to claim 2, Bradley discloses a safety connection wherein the resilient lip **110** is an integral part of the second retaining element **103,110** (Figure 7).

As to claim 5, Bradley discloses a safety connection wherein the resilient lip **110** is manufactured from plastic (column 5 lines 50-54).

As to claim 6, Bradley discloses a safety connection wherein a front end of the resilient lip **110** of the second retaining element **103,110** touches a slide-off surface of the first retaining element **111** (Figure 7).

Art Unit: 3679

As to claim 7, Bradley discloses a safety connection wherein the front lip end comprises a sliding surface which is substantially parallel (tangent) to part of the slide-off surface of the first retaining element 111 (Figure 7).

As to claim 14, Bradley discloses a safety connection wherein the first 111 and second 103,110 retaining elements are each of rotation-symmetrical design relative to an axis of symmetry, which is vertical, after mounting (Figure 7).

As to claim 15, Bradley discloses a safety connection wherein the retaining element 103,110 connected to the environment 100 is mounted in a tube 100 having an inside diameter of less than 2 (inherently; Figure 7).

As to claim 16, Bradley discloses a safety connection wherein the tube 100 has a diameter in the range of 10- 15 mm (inherently; Figure 2).

As to claim 17, Bradley discloses a curtain rail system, provided with a safety connection (Figure 1).

As to claim 18, Bradley discloses a safety connection for coupling objects 104 to an environment 100, wherein the connecting device is provided with a safety connection (Figure 7).

As to claim 19, Bradley discloses a connecting device wherein the connecting device is designed for supporting an upper side of the object 104 to be coupled to the environment 100 at a front end (Figure 7).

Response to Arguments

4. Applicant's arguments filed February 22, 2005 have been fully considered but they are not persuasive.

Art Unit: 3679

As to claim 1, Attorney argues that:

As to claim 1, Franklin does not disclose a safety connection *wherein the first retaining element after mounting, is coupled to the object to be suspended, and the second retaining element after mounting, is connected to an environment.*

Examiner disagrees. As to claim 1, Franklin discloses a safety connection wherein the first retaining element **44** after mounting, is coupled to the object **C** to be suspended (collar **C** is suspended from an elevated tether **B**), and the second retaining element **31** after mounting, is connected to an environment **B** (tether **B** is attached to the surrounding environment; Figures 1 and 2).

As to claim 1, Attorney argues that:

Bradley does not disclose a safety connection *wherein the second retaining element comprises a resilient lip, the first and second retaining elements are arranged to cooperate via the resilient lip for effecting the detachable coupling of the retaining elements.*

Examiner disagrees. As to claim 1, Bradley discloses a safety connection wherein the second retaining element **103,110** comprises a resilient lip **110** (ring **110** defines the edge of the hollow female receiver **71**; thus defining a resilient lip), the first **111** and second retaining elements are arranged to cooperate via the resilient lip for effecting the detachable coupling of the retaining elements (Figures 1 and 7).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 3679

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Ferguson whose telephone number is (571)272-7081. The examiner can normally be reached on M-F (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571)272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3679

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



MPF
05/17/05



DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600